

Federal Communications Commission

DA 03-1119

Before the
Federal Communications Commission
Washington, D.C. 20554

| | | |
|---------------------------------|---|-----------------------------|
| In the Matter of |) | |
| |) | |
| Amendment of Section 73.202(b), |) | |
| Table of Allotments, |) | |
| FM Broadcast Stations. |) | |
| (Clayton, Oklahoma) |) | MB Docket No. 02-240 |
| |) | RM-10530 |
| |) | |
| (Guthrie, Texas) |) | MB Docket No. 02-241 |
| |) | RM-10531 |
| |) | |
| (Hchhronville, Texas) |) | MB Docket No. <u>02-242</u> |
| |) | RM-10532 |
| |) | |
| (Pi-ernont, Texas) |) | MB Docket No. 02-244 |
| |) | RM-10534 |
| |) | |
| (Roaring Spring\, Texas) |) | MB Docket No. 02-245 |
| |) | RM- 10544 |
| |) | |
| (Rocksprings, Texas) |) | MB Docket No. 02-246 |
| |) | RM-10535 |
| |) | |
| (Sandcrson, Texas) |) | MB Docket No. 02-247 |
| |) | RM- 10536 |
| |) | |
| (Thomas, Oklahoma) |) | MB Docket No. 02-249 |
| |) | RM-10538 |

REPORT AND ORDER
(Proceedings Terminated)

adopted: April 9,2003

Released: April 11,2003

By the Assistant Chief, Audio Division:

1. The Audio Division has before it a multiple docket *Norice of Proposed Rule Making*.¹ ("Notice") involving eight separate proposals to allot an FM channel to a specific community. Each petitioner filed comments in support of its proposal, reaffirming its intention to apply for the specified channel, if allotted. Each proposal complies with all Commission technical requirements and we continue to believe that each proposal would serve the public interest. As discussed in a Commission *Public Notice* released October 2, 1998 (DA 98-1987), this procedure will conserve Commission resources and expedite the processing of FM allotment petitions for rule making by avoiding duplicative action. We discuss below the following proposals:

A. MB Docket No. 02-240; RM-10530

Action: At the request of Jeraldine Anderson, we are allotting Channel 241 A at Clayton, Oklahoma, as that community's First local aural transmission service.

Coordinates: The reference coordinates for Channel 241 A at Clayton are 34-27-28 North Latitude and 95-22-01 West Longitude.

Additional Information: This allotment requires a site restriction of 14.7 kilometers (9.1 miles) south of Clayton, Oklahoma. No counterproposals or other comments were received in this proceeding.

FCC Contact: R. Barthen Gorman (202) 418-2180

B. MH Docket No. 02-241; RM-10531

Action: At the request of Linda Crawlford, we are allotting Channel 252A at Guthrie, Texas, as that community's First local aural transmission service.

Coordinates: The reference coordinates for Channel 252A at Guthrie are 33-41-26 North Latitude and 100-23-15 West Longitude.

Additional Information: This allotment requires a site restriction of 9.8 kilometers (6.1 miles) northwest of Guthrie, Texas. No counterproposals or additional comments were received in this proceeding.

FCC Contact: R. Barthen Gornian (202) 418-2180

¹ *Alpine, Texas et al.* 17 FCC Rcd 16208 (MB, 2002). The Notice included eleven separate proposals to allot an FM channel to a specific community. We are disposing of eight of those proposals that are not opposed.

C. MB Docket No. 02-242; RM-10532

Action: At the request of Linda Crawford, we are allotting Channel 232A at Hebbronville, Texas, as that community's third local aural transmission service.

Coordinates: The reference coordinates for Channel 232A at Hebbronville are 27-23-18 North Latitude and 98-44-26 West Longitude.

Additional Information: This allotment requires a site restriction of 11.2 kilometers (7.0 miles) northwest of Hebbronville, Texas. Since the allotment would be within 320 kilometers (199 miles) of the U.S.-Mexico border, concurrence for this allotment was sought with the Mexican Government. The Mexican Government has concurred in this allotment. No counterproposals or additional comments were received in this proceeding.

FCC Contact: R. Barthen Gorman (202) 418-2180

D. MB Docket No. 02-244; RM-10534

Action: At the request of Linda Crawford, we are allotting Channel 287A to Premont, Texas, as the community's second local aural transmission service.

Coordinates: The reference coordinates for Channel 287A at Premont are 27- 14-13 North Latitude and 98-10-27 West Longitude.

Additional Information: This allotment requires a site restriction of 14.4 kilometers (8.9 miles) south of Premont, Texas. Although we requested Mexican concurrence for allotting Channel 287A at Premont, we are still negotiating the question of whether the channel will be approved by the Mexican Government. If a construction permit is granted prior to the receipt of formal concurrence in the allotment by the Mexican Government, the construction permit will include the following condition: "Operation with the facilities specified for Premont herein is subject to modification, suspension, or termination without right to hearing, if found by the Commission to be necessary in order to conform to the 1992 USA-Mexico FM Broadcast Agreement." No counterproposals or additional comments were received in this proceeding.

FCC Contact: R. Barthen Gorman (202) 418-2180

E. MB Docket No.02-245; RM-10544

Action: At the request of Linda Crawford, we are allotting Channel 276C3 to Roaring Springs, Texas, as the community's first local aural transmission service.

Coordinates: The reference coordinates for Channel 276C3 at Roaring Springs are 33-55-44 North Latitude and 100-46-48 West Longitude.

Additional Information: This allotment requires a site restriction 7.8 kilometers (4.9 miles) northeast of Roaring Springs, Texas. No counterproposals or additional comments were received in this proceeding.

FCC Contact: R. Barthen Gorman (202)418-2180

F. MB Docket No. 02-246; RM-10535

Action: At the request of Charles Crawford, we are allotting Channel 291A to Rockspnngs, Texas, as that community's fourth local aural transmission service.

Coordinates: The retcrence coordinates for Channel 291 A at Rocksprings are 19-57-03 North Latitude and 100-20-02 West Longitude.

Additional Information: This allotment requires a site restriction 14.4 kilometers (8.9 miles) southwest of Rockspnngs, Texas. Although we requested Mexican concurrence for allotting Channel 291A at Rocksprings, we have not received notification of such concurrence. If a construction permit is granted prior to the receipt of formal cuncurrence in the allotment by the Mexican Government, the construction permit will include the following condition: "Operation with the facilities specified for Rocksprings herein is subject to modification, suspension, or termination without right to hearing, if found by the Commission to be necessary in order to conform to the 1992 USA-Mexico FM Broadcast Agreement." No counterproposals or additional comments were received in this proceeding.

FCC Contact: R. Batthen Gornian (202) 418-2180

G. MB Docket No. 02-247; RM-10536

Action: At the request of Linda Crawford, we are allotting Channel 286C2 to Sanderson, Texas, as that community's first local commercial aural transmission service.

Coordinates: The reference coordinates for Channel 286C2 at Sanderson are 30-03-18 North Latitude and 102-35-01 West Longitude.

Additional Information: This allotment requires a site restriction 20.6 kilometers (12.8 miles) southwest of Sanderson, Texas. Since the allotment is within 320 kilometers (199 miles) of the U.S.-Mexico border, the Commission sought the Mexican Government's concurrence for this allotment. The Mexican Government has concurred in this allotment. No counterproposals or other comments were received in this proceeding.

FCC Contact: R. Barthen Gorman (202) 418-2180

H. MB Docket No. 02-249; RM-10538

Action: At the request of Robert Fabian, we are allotting Channel 288A to Thomas, Oklahoma, as that community's first local aural transmission service.

Coordinates: The reference coordinates for Channel 288A at Thomas, Oklahoma, are 35-49-46 North Latitude and 98-45-09 West Longitude.

Additional Information: This allotment requires a site restriction of 9.2 kilometers (5.7 miles) north of Thomas, Oklahoma. No counterproposals or additional comments were received in this proceeding.

2. Accordingly, pursuant to the authority found in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED. That effective May 27, 2003, the FM Table of Allotments, Section 73.202(h) of the Commission's Rules, IS AMENDED, with respect to the communities listed below, to read as follows:

| <u>Community</u> | <u>Channel No.</u> |
|-----------------------|--------------------|
| Clayton, Oklahoma | 241A |
| Thomas, Oklahoma | 288A |
| Guthrie, Texas | 252A |
| Hebbroville, Texas | 232A, 269A |
| Premont, Texas | 264C3, 287A |
| Roaring Spring, Texas | 276C3 |
| Rocksprings, Texas | 223A, 295C2, 291A |

Sanderson, Texas

286C2

3. The window periods for filing applications for these allotments will not be opened at this time. Instead, the issue of opening these allotments for auction will be addressed by the Commission in a subsequent order.

4. IT IS FURTHER ORDERED. That the aforementioned proceedings ARE TERMINATED

5. For further information concerning a specific docket, contact the FCC Contact listed above for that docket.

FEDERAL COMMUNICATIONS COMMISSION

John A. Kwousos
Assistant Chief, Audio Division
Media Bureau